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In Propria Persona
4

5 UNITED STATES DISTRICT COURT
6 CENTRAL DISTRICT OF CALIFORNIA
7

8 Paul Hupp,

9 Plaintiff,

10 v.

11 Vicki Kurpinsky, A.K.A. Vicki Castellanos,
Debra Murphy Lawson,
12 Djinna M. Gochis,
Roes 1-25
13 Individually and in their official capacity as
State Bar of California employees, Jointly,
14 Jointly and Severally,
Defendants.
15

)
)
) Case No.: 10-cv-00413- UA (RC)
)
)

) PLAINTIFF PAUL HUPP'S MOTION TO
) DISQUALIFY JUDGE ROSALYN M.
) CHAPMAN FOR CAUSE; MEMORANDUM
) OF POINTS AND AUTHORITIES AND
) DECLARATION OF PAUL HUPP IN
) SUPPORT THEREOF
)
)
)

16 I.

17 Motion To Disqualify Chapman For Cause

18 PLEASE TAKE NOTICE that Plaintiff Paul Hupp, *In Propria Persona*, now moves this
19 Court to have the Dis-Honorable Rosalyn M. Chapman disqualify herself from presiding over
20 this case and to have another judge assigned to hear this case pursuant to Title 28 of the United
21 States Code §§ 144 and 455(b)(1).

22 This motion is made upon the grounds that the Dis-Honorable Rosalyn M. Chapman has a
23 personal bias or prejudice against Plaintiff Paul Hupp, and in favor of The State Bar of California
24 ("Bar") and it's employees, as set forth in the Memorandum of Points and Authorities and the
25 Declaration of Paul Hupp as outlined below.

Memorandum of Points and Authorities

1. Judge Chapman Is Clearly Violating The Constitution And Due Process Of Law By Blocking Paul Hupp's Right To Enforce Due Process On The State Bar Of California And It's Employees

Plaintiff originally filed this case three (3) years ago after the Bar refused to clear plaintiff's background (after two (2) full years of investigation) to become a licensed attorney in the state and then further refused to give a hearing on the matter. Mr. Hupp appealed that decision to the State Bar Court ("Bar Court") who refused to allow plaintiff to argue his case before the Bar Court. Plaintiff is entitled to due process of law under the Constitution and laws of the United States, as well as and clearly established case law from the United States Supreme Court. This is not a new or novel area of law, in fact it goes back centuries.

Yet despite this being clearly laid out in language even an untrained circus chimp could understand, Chapman continues making her wild, nonsensical and unsupported rulings, like she did on her August 28, 2010 ruling where Chapman made one of her nonsensical and unsupported rulings with nothing more than a conclusory statement;

"No subject matter jurisdiction. See attached"

Of course there was NOTHING ATTACHED, as this was just another garbage ruling from a judge who either has the brainpower of a circus chimp, or who is knowingly, willfully and intentionally violating the Constitution and BLOCKING due process rights of the poor. Which one of the two (2) Chapman falls under is open to debate.

For the record, violations of due process rights GIVES SUBJECT MATTER JURISDICTION, despite the crazy, ridiculous and unsupported ramblings of Chapman.

1 In fact the United States Supreme Court made that fact crystal clear more then 48 years
2 ago;

3 "The requirements of procedural due process must be met before a State can exclude a
4 person from the practice of law". See Willner v. Committee On Character, 373 U.S. 96,
5 102 (1963).

6 "...the Appellate Division held no hearings on its own to determine petitioners
7 character...it cannot escape the requirements of due process..." Willner at 103-104.

8 Based on the 14th Amendment and clearly established case law we can see Chapman was
9 either sleeping through Constitutional Law when she attended law school or is flat out lying on
10 behalf of, and covering for, the Bar.

11 One of the reasons the Bar is engaging in these constitutional violations is because they
12 are getting cover from judges like Chapman, who are allowing it to go on with impunity. For a
13 federal judge to allow this type of unconstitutional conduct is the absolute bottom of the barrel.

14 Chapman is a disgrace to the federal bench and needs to be retired.

15 II.

16 Conclusion

17 The prejudice to plaintiff Paul Hupp resulting from Judge Chapman's ridiculous,
18 unsupported and nonsensical rulings violates Paul Hupp's rights to due process. Based on such
19 facts, fair dealing and substantial justice requires Judge Chapman to be disqualified for cause.

20 III.

21 Declaration Of Paul Hupp

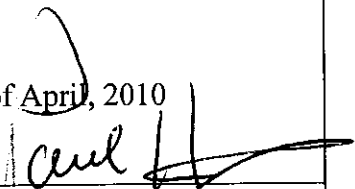
- 22 1. I filed this case on March 13, 2010
- 23 2. Judge Chapman blocked my access to the court by denying the IFP application-
24 which she has done on virtually every case she has ruled on from me.
25

3. Judge Chapman gave no reasons for her August 28th, 2010 IFP denial, making a conclusory and nonsensical statement that there was "No subject matter jurisdiction. See attached." There was no "attachment" and there were no authorities listed.
4. Judge Chapman misstated material facts and law in denying my IFP and is now further trying to block my right to due process by blocking me from filing legitimate causes of action against a state agency, thereby violating the right to due process and the United States Constitution.
5. Judge Chapman has refused to give any oral argument or allow me to make any rebuttals to her preposterous, unsupported and nonsensical rulings.
6. I have no criminal convictions of any kind, and the sole reason the Bar refused to grant my background clearance is because they are trying to block my right to free speech-for specifically telling the Bar to follow the law and their own rules.

VERIFICATION

I, Paul Hupp, am the plaintiff in this action and declare under penalty of perjury under the laws of the United States and the State of California that I am informed and believe that all matters stated herein are true and correct.

Dated this 4th day of April, 2010


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In Propria Persona